Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

Final

AIR QUALITY PERMIT

Issued under 401 KAR 52:030

Permittee Name:	**Goodrich Corporation and PolyOne Corporation**
Mailing Address:	**P.O. Box 309, Calvert City, KY 42029**
Source Name:	**Same as above**
Mailing Address:	**Same as above**
Source Location:	**2468 Industrial Pkwy, Calvert City, KY 42029**
Permit ID:	**F-07-021 R1**
Agency Interest #:	**2919**
Activity ID:	**APE20080002**
Review Type:	**Conditional Major / Synthetic Minor, Operating**
Source ID:	**21-157-00004**
Regional Office:	**Paducah Regional Office** **130 Eagle Nest Drive** **Paducah, KY 42003** **(270) 898-8468**
County:	**Marshall**
Application Complete Date:	**October 20, 2006**
Issuance Date:	**May 15, 2007**
Revision Date:	**July 10, 2008**
Expiration Date:	**May 15, 2012**

John S. Lyons, Director
Division for Air Quality

Revised 09/29/06

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Rev #	**Permit type**	**Activity #**	**Complete Date**	**Issuance Date**	**Summary of Action**
----	Initial Issuance	APE20070001	October 20, 2006	May 15, 2007	Operating permit (this permit has been redrafted)
	Administrative Revision	APE20080002	June 11, 2008		Ownership change and addition of insignificant activities

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

048 (EE-8) Groundwater Stripping System
Description: Steam stripper
Maximum Rated Capacity: 62,400 gal/hr
Construction commenced: 1991
Controls: Carbon adsorption bed or
Westlake's Incinerators (EP 453 and EP 530)
Control Efficiency: 95%

049 (--) Pipeline Equipment in VOC service
Description: pipeline equipment at the groundwater stripping system in VOC service
Construction commenced: 1991
Controls: None

APPLICABLE REGULATIONS:
None

1. Operating Limitations:

a. The processing rate of ground water shall not exceed 62,400 gals/hr. [state-only requirement from permit C-91-017 Rev 3].

Compliance Demonstration Method:
The permittee shall monitor and maintain records of monthly and rolling twelve (12) month totals of the processing rate of ground water.

b. Emissions from the groundwater stripping system shall be vented through a carbon bed adsorption unit or to one of the Westlake's incinerators (EP 453 or EP 530) at all times. [To preclude applicability of 401 KAR 52:020, Title V Permits]

Compliance Demonstration Method:
Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve. If used, daily maintenance records indicating the saturation of the carbon adsorber shall be kept. The permittee shall replace the carbon bed immediately prior or upon reaching its breakthrough point. If Westlake's incinerators are used, see **Section E - Source Control Equipment Operating Requirements**.

2. Emission Limitations:
See **Section D – Source emission limitations and testing requirements**.

3. Testing Requirements:

a. Annual Method 21 shall be used to determine the presence of leaking sources. The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21. The following calibration gases shall be used:
(i) Zero air (less than 10 ppm of hydrocarbon in air); and

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(ii) A mixture of methane or n-hexane and air at a concentration of about, but less than, 10,000 ppm methane or n-hexane.

b. The permittee shall conduct a performance test on the carbon adsorber, to demonstrate that the carbon adsorber total removal efficiency (TRE) for VOC/HAPs is 95%. The performance test shall be conducted within 180 days after the next initiation of use of the carbon adsorber following issuance of the final permit F-07-021.

c. If used, the permittee shall check the saturation level of the carbon adsorber daily.

d. See **Section E – Source Control Equipment Operating Requirements**.

4. Specific Monitoring Requirements:

a. Each valve shall be monitored monthly to detect leaks by visual, audible, or olfactory methods.

b. See **3. Testing Requirements**.

c. (1) When a leak is detected, it shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

d. If used, the permittee shall monitor the following for the carbon adsorber:

(1) Total regeneration stream mass or volumetric flow during carbon bed regeneration cycle(s)

(2) Temperature of the carbon bed after regeneration [and within 15 minutes of completing any cooling cycle(s)]

e. See **Section E – Source Control Equipment Operating Requirements**.

5. Specific Recordkeeping Requirements:

a. When each leak is detected, the following requirements apply:

(1) A weatherproof and readily visible identification, marked with the equipment identification number, shall be attached to the leaking equipment.

(2) The identification on a valve may be removed after it has been monitored for 2 successive months and no leak has been detected during those 2 months.

b. When each leak is detected, the following information shall be recorded in a log and shall be kept for 2 years in a readily accessible location:

(1) The instrument and operator identification numbers and the equipment identification number.

(2) The date the leak was detected and the dates of each attempt to repair the leak.

(3) Repair methods applied in each attempt to repair the leak.

(4) “Above 10,000” if the maximum instrument reading measured by Method 21 after each repair attempt is equal to or greater than 10,000 ppm.

(5) “Repair delayed” and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.

(6) The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a process shutdown.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(7) The expected date of successful repair of the leak if a leak is not repaired within 15 days.
(8) Dates of process unit shutdowns that occur while the equipment is unrepaired.
(9) The date of successful repair of the leak.

c. A list of identification numbers for all equipment shall be recorded.
d. If used, the permittee shall keep the following records for the carbon adsorber:
(1) Total regeneration stream mass or volumetric flow for each carbon bed regeneration cycle.
(2) Total regeneration stream mass or volumetric flow during each carbon bed regeneration cycle during the period of TRE determination.
(3) The temperature of the carbon bed after each regeneration.
(4) A daily log with the saturation level of the carbon adsorber.
e. The status and use of the carbon adsorber.

6. Specific Reporting Requirements:

a. All semiannual reports shall include the following information:
(1) Process unit identification.
(2) For each month during the semiannual reporting period,
(i) Number of valves for which leaks were detected,
(ii) Number of valves for which leaks were not repaired,
(iii) Number of pumps for which leaks were detected,
(iv) Number of pumps for which leaks were not repaired,
(vi) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible.
(3) Dates of process unit shutdowns which occurred within the semiannual reporting period.
(4) Revisions to items reported if changes have occurred since the initial report or subsequent revisions to the initial report.
b. If used, the permittee shall report the following for the carbon adsorber:
(1) Results of the performance test required in **3. Testing Requirements**.
(2) Total regeneration stream mass or volumetric flow during each carbon bed regeneration cycle during the period of TRE determination.
(3) All carbon bed regeneration cycles when the total regeneration stream mass or volumetric flow is outside the range recommended by the manufacturer's design specifications.
(4) All carbon bed regeneration cycles during which temperature of the carbon bed after regeneration is outside the range recommended by the manufacturer's design specifications.
c. The status and use of the carbon adsorber.

7. Specific Control Equipment Operating Conditions:

See **Section E – Source Control Equipment Operating Requirements**.

8. Alternate Operating Scenarios:

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

081 (EE-10) AS/SVE Operation
Description: Vacuum blower
Construction commenced: 1998
Controls: Westlake's Incinerator (EP 530)
Control Efficiency: 98%

APPLICABLE REGULATIONS:
None

1. Operating Limitations:
The AS/SVE Operation (EP 081) shall be vented to Westlake's Incinerator (EP 530), at all times EP 081 is in operation. [To preclude applicability of 401 KAR 52:020, Title V Permits]

Compliance Demonstration Method:
See **Section E – Source Control Equipment Operating Requirements**.

2. Emission Limitations:
See **Section D – Source emission limitations and testing requirements**.

3. Testing Requirements:
See **Section E – Source Control Equipment Operating Requirements**.

4. Specific Monitoring Requirements:
See **Section E – Source Control Equipment Operating Requirements**.

5. Specific Recordkeeping Requirements:
See **Section E – Source Control Equipment Operating Requirements**.

6. Specific Reporting Requirements:
See **Section E – Source Control Equipment Operating Requirements**.

7. Specific Control Equipment Operating Conditions:
See **Section E – Source Control Equipment Operating Requirements**.

8. Alternate Operating Scenarios:
None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

082 (EE-11) Superfund Remediation – Vapor Recovery
Description: Vacuum blower
Construction commenced: 1996
Controls: Carbon adsorption bed or
Westlake's Incinerators (EP 453 and EP 530)
Control Efficiency: 95%

APPLICABLE REGULATIONS:
None

1. Operating Limitations:
The Superfund Remediation – Vapor Recovery (EP 082) shall be vented to either the carbon adsorption beds or one of the Westlake's Incinerators (EP 453 or 530), at all times EP 082 is in operation. [To preclude applicability of 401 KAR 52:020, Title V Permits]

Compliance Demonstration Method:
If used, daily maintenance records indicating the saturation of the carbon adsorber shall be kept. The permittee shall replace the carbon bed immediately prior or upon reaching its breakthrough point. If Westlake's incinerators are used, see **Section E - Source Control Equipment Operating Requirements**.

2. Emission Limitations:
See **Section D – Source emission limitations and testing requirements**.

3. Testing Requirements:
a. The permittee shall conduct a performance test on the carbon adsorber, to demonstrate that the carbon adsorber total removal efficiency (TRE) for VOC/HAPs is 95%. The performance test shall be conducted within 180 days after the next use of the carbon adsorber following issuance of the final permit F-07-021.
b. If used, the permittee shall check the saturation level of the carbon adsorber daily. The permittee shall replace the carbon bed immediately prior or upon reaching its breakthrough point.
c. See **Section E – Source Control Equipment Operating Requirements**.

4. Specific Monitoring Requirements:
a. If used, the permittee shall monitor the following for the carbon adsorber:
(1) Total regeneration stream mass or volumetric flow during carbon bed regeneration cycle(s)
(2) Temperature of the carbon bed after regeneration [and within 15 minutes of completing any cooling cycle(s)]
b. See **Section E – Source Control Equipment Operating Requirements**.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

a. If used, the permittee shall keep the following records for the carbon adsorber:
   (1) Total regeneration stream mass or volumetric flow for each carbon bed regeneration cycle.
   (2) Total regeneration stream mass or volumetric flow during each carbon bed regeneration cycle during the period of TRE determination.
   (3) The temperature of the carbon bed after each regeneration.
   (4) A daily log with the saturation level of the carbon adsorber.
b. The status and use of the carbon adsorber.
c. See **Section E – Source Control Equipment Operating Requirements**.

6. Specific Reporting Requirements:

a. If used, the permittee shall report the following for the carbon adsorber:
   (1) Results of the performance test required in **3. Testing Requirements**.
   (2) Total regeneration stream mass or volumetric flow during each carbon bed regeneration cycle during the period of the TRE determination.
   (3) All carbon bed regeneration cycles when the total regeneration stream mass or volumetric flow is outside the range recommended by the manufacturer's design specifications.
   (4) All carbon bed regeneration cycles during which temperature of the carbon bed after regeneration is outside the range recommended by the manufacturer's design specifications.
b. The status and use of the carbon adsorber.
c. See **Section E – Source Control Equipment Operating Requirements**.

7. Specific Control Equipment Operating Conditions:

See **Section E – Source Control Equipment Operating Requirements**.

8. Alternate Operating Scenarios:

None

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

Description	Generally Applicable Regulation
1. Pump barrier fluid tank (EP 051) Capacity: 500 gallons	NA
2. Superfund Leachate Collection Transfer Tank Capacity: 1,200 gallons	401 KAR 63:022
3. Fugitives associated with Groundwater Stripping System	401 KAR 63:022
4. Fugitives associated with Bioventing Operation	401 KAR 63:022
5. Fugitives Associated with Ponds 1A and 2	NA
6. Fugitives Associated with the Closed Landfill (Closure Cell)	NA

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

2. VOC emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

3. a. **Source-wide Emission Limitations:**
The total annual source-wide emissions shall not exceed the following limitations on a twelve month (12) rolling total:
(1) Volatile organic compound (VOC) emissions shall not exceed 90 tons per year.
(2) Emissions of any single hazardous air pollutants (HAP) shall not exceed 9 tons per year.
(3) Emissions of combined hazardous air pollutant (HAP's) shall not exceed 22.5 tons per year.

Compliance Demonstration Method:
Calculate annual source-wide emissions from all emission points for each month of the previous 12-month period (i.e.: for the month of January, the compliance demonstration shall be completed in February and shall include all data from February of the previous year to the last day of January).
The monthly compliance demonstration shall include, at a minimum, the monthly and 12-month rolling VOC, individual HAP, and combined HAP emissions from the following operations:
(1) All groundwater stripping system operations (including pipeline fugitives).
(2) All AS/SVE operations.
(3) All superfund remediation-vapor recovery operations.
(4) All Insignificant Activities.
All emissions calculations shall be based on standard U.S. EPA methodology and test results.

b. **Source-wide Recordkeeping Requirements:** The permittee shall retain a record of each source-wide monthly compliance demonstration completed in accordance with Condition 3.a, above. Refer to **Section B** for operating limitations and use of controls specific to each unit and **Section E** for source control equipment operating requirements.

c. **Source-wide Reporting Requirements:**
The permittee shall submit a report of the following information to the Division for Air Quality's Paducah office in accordance with Conditions F.5. and F.6. of this permit:
(1) A summary report containing a copy of all monthly source-wide compliance demonstration records (as provided above) during the previous reporting period.
(2) Identification of any deviations from source-wide permit requirements that occurred during the reporting period.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

4 a. **State-Origin Requirements:**
Pursuant to 401 KAR 63:021, Section 1, a source in existence on January 19, 1999 which was issued a permit pursuant to 401 KAR 50:035 with conditions based on 401 KAR 63:021 or 401 KAR 63:022 shall continue to comply with all conditions based on 401 KAR 63:021 or 401 KAR 63:022 unless it can demonstrate that a condition is no longer necessary to protect human health and the environment.

Pursuant to Permit C-91-017 Revision 3, the source-wide emission rate of the following pollutants shall not be exceeded:

Pollutant	Emission Rate
Hydrogen chloride	0.876 lb/hr
1,1,2-trichloroethane	0.274 lb/hr
1,3-dichloropropene	12.2 lb/hr
1,1,2,2-tetrachloroethane	0.043 lb/hr
1,1-dichloroethane	4.29 lb/hr

Compliance Demonstration Method:
Compliance with the source-wide emission limits shall be demonstrated by initial calculations of maximum controlled source-wide emission rates. Any time an affected facility is not vented through its control device (listed in Section B), calculations shall be updated. Calculations shall also be updated upon application for permit renewal.

b. **Recordkeeping Requirements:**
Retain calculations of maximum controlled source-wide emission rates of the pollutants listed under Condition 4.a. above.

c. **Reporting Requirements:**
Retain maintenance records for all air pollution control equipment controlling emissions of the pollutants listed under Condition 4.a. above.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS (CONTINUED)

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

2. The following control devices are owned by Westlake Vinyls, Inc. (Westlake):

   Oxy Incinerator (EP 453)
   Capacity: 67.1 mmBtu/hr
   Fuel: Process gas and combined gaseous waste with supplemental natural gas.
   Controls: Packed wet scrubber following incinerator for acid gas
   Constructed: 1982

   Primary Thermal Incinerator (EP 530)
   Capacity: 60.0 mmBtu/hr
   Fuel: Process gas and combined gaseous waste with supplemental natural gas.
   Controls: Quench, absorber, and packed wet scrubber following incinerator for acid gas
   Constructed: 1977

   If Westlake's incinerators are used as controls by Goodrich for control of emissions from 048-Groundwater stripping system, 081-AS/SVE Operation, or 082-Superfund remediation vapor recovery, then proper operation of the incinerators is demonstrated by annual Notification of Compliance Reports by Goodrich Corporation that includes either:

   a. Documentation that Westlake operated the incinerators in compliance with 40 CFR 63 Subpart G; or

   b. Documentation evidencing that the Westlake incinerator being used had a destruction efficiency of at least 95% at the time of use on a 12 month rolling average basis. [401 KAR 52:030].

   Compliance Demonstration Method:
   Compliance shall be demonstrated by:
   a. Documentation of Westlake's compliance with 40 CFR 63 Subpart G; or
   b. A weighted average calculation of the destruction efficiency achieved during all periods that the emissions are routed to the incinerator assuming 50 % control efficiency for all periods when the 3-hour average is between 28°C (50°F) and 56°C (100°F) below the average combustion chamber temperature and zero control efficiency for all periods when the 3-hour average is more than 56°C (100°F) below the average combustion

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS (CONTINUED)

chamber temperature during the most recent performance test which demonstrated compliance.

3. **Specific Recordkeeping Requirements:**

The permittee shall provide records of the following information for the incinerator:

a. The average combustion chamber temperature during the most recent performance test which demonstrated compliance, and the destruction efficiency in the last performance test.

b. 3-hour periods during which the average combustion chamber temperature of the incinerator is between 28°C (50°F) and 56°C (100°F) and more than 56°C (100°F) below the average combustion chamber temperature of the incinerator during the most recent performance test which demonstrated compliance.

c. A weighted average calculation of the destruction efficiency achieved during all periods that the emissions are routed to the incinerator assuming 50 % control efficiency for all periods when the 3-hour average is between 28°C (50°F) and 56°C (100°F) below the average combustion chamber temperature and zero control efficiency for all periods when the 3-hour average is more than 56°C (100°F) below the average combustion chamber temperature during the most recent performance test which demonstrated compliance.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a. Date, place (as defined in this permit), and time of sampling or measurements;
   b. Analyses performance dates;
   c. Company or entity that performed analyses;
   d. Analytical techniques or methods used;
   e. Analyses results; and
   f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
   a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
   b. To access and copy any records required by the permit:
   c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

   Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Deviations from permit requirements, including those previously reported under F.7 above, shall be included in the semiannual report required by F.6 [Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
   a. Identification of each term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
   e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
   f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

Division for Air Quality Paducah Regional Office 130 Eagle Nest Drive Paducah, KY 42003-9435	Division for Air Quality Central Files 803 Schenkel Lane Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission survey is not mailed to the permittee, then the permittee shall comply with all other emission reporting requirements in this permit.

11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
    a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
        (1) The size and location of both the original and replacement units; and
        (2) Any resulting change in emissions;
    b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
    c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
    d. The replacement unit shall comply with all applicable requirements; and
    e. The source shall notify Regional office of all shutdowns and start-ups.
    f. Within six (6) months after installing the replacement unit, the owner or operator shall:
        (1) Re-install the original unit and remove or dismantle the replacement unit; or
        (2) Submit an application to permit the replacement unit as a permanent change.

SECTION G – GENERAL PROVISIONS

1. General Compliance Requirements

   a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

   b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

   c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
      (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
      (2) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
      (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

      Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

   d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 6 and 7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

SECTION G – GENERAL PROVISIONS (CONTINUED)

e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].

f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].

g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

i. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens. [Section 1a-12-b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].

l. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].

m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.

n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.

SECTION G – GENERAL PROVISIONS (CONTINUED)

o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
(1) Applicable requirements that are included and specifically identified in this permit; and
(2) Non-applicable requirements expressly identified in this permit.

2. Permit Expiration and Reapplication Requirements

a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

b. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

3. Permit Revisions

a. Minor permit revision procedures specified in 401 KAR 52:030 Section 14(3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14(2).

b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

SECTION G – GENERAL PROVISIONS (CONTINUED)

4. Construction, Start-Up, and Initial Compliance Demonstration Requirements

   No construction authorized by this permit.

5. Testing Requirements

   a. Pursuant to 401 KAR 50:045 Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

   b. Pursuant to 401 KAR 50:045 Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.

   c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

   a. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

7. Emergency Provisions

   a. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   (1) An emergency occurred and the permittee can identify the cause of the emergency;

SECTION G – GENERAL PROVISIONS (CONTINUED)

(2) The permitted facility was at the time being properly operated;
(3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
(4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
(5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.

b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].

c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030 Section 23(2)].

8. Ozone depleting substances

a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
(1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
(2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
(3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
(4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
(5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
(6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION G – GENERAL PROVISIONS (CONTINUED)

9. Risk Management Provisions

   a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

      RMP Reporting Center
      P.O. Box 1515
      Lanham-Seabrook, MD 20703-1515.

   b. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None